

Notice of Allowability

Application No.

10/602,728

Examiner

TAN Q NGUYEN

Applicant(s)

UOTANI, KAZUSHI

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/18/2005.
2. ☒ The allowed claim(s) is/are 1-6 AND 9 (NOW RENUMBERED AS 1-7).
3. ☒ The drawings filed on 25 June 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


TAN Q. NGUYEN
PRIMARY EXAMINER

Application/Control Number: 10/602,728

Art Unit: 3661

EXAMINER'S AMENDMENT

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.
2. Authorization for this Examiner's Amendment was given in a telephone interview with Mr. D. Richard Anderson on March 02, 2005, the attorney for the applicants, the following change has been made:

The non-elected claims 7, 8 and 10 have been canceled.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Q. Nguyen, whose telephone number is (703) 305-9755. The examiner can normally be reached on Monday-Thursday from 5:30 AM-4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (703) 305-8233.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to the Official Fax Center:

(703) 872-9306, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

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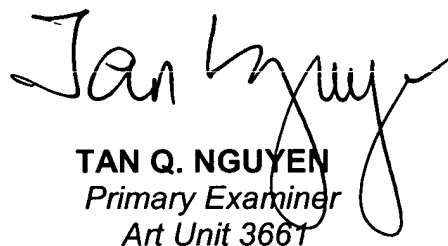
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Hand-delivered responses should be brought to Crystal Park V, 2451
Crystal Drive, Arlington, VA., Seventh Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should
be directed to the Group receptionist whose telephone number is (703) 308-1113.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

/tqn
March 4, 2005


TAN Q. NGUYEN
Primary Examiner
Art Unit 3661

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

1. This communication is an Examiner's reasons for allowance in response to the communication filed on January 18, 2005 and the telephone interview with Mr. D. Richard Anderson on March 02, 2005. As per requested, claims 1-6 and 9 have been selected. It is noted that the non-elected claims should be 7, 8 and 10 instead of 7 and 10.
2. The following is the Examiner's statement of reasons for the indication of allowable subject matter:
 - a. After carefully reviewing the application in light of the prior art of record, the amended claims and additional search of all the possible areas relevant to the present application, a set of related prior art references has been found, but those prior art references are not deemed strong to make the application unpatentable. Thus, it is found that the application is now in condition for allowance.
 - b. Although the prior art disclose several claimed limitations, none of the references teaches a navigation system which includes at least a traffic restriction information acquisition section for acquiring traffic restriction information, time information acquisition section for acquiring current date, day of week and time information, a route searching section for searching an optimum route pass through the route from a detected current position at the current date, day of week, and time based on the information and the traffic restriction information, wherein such route searching section includes area determination section for determining whether an area of the current position is an urban area or suburban area, setting section for setting a predetermined

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area or a predetermined time responsive to the determination result, and restriction presence or absence determination section for determining the presence or absence of restriction on each time restriction road depending on whether or not a time restriction road exists in the predetermined area centering around the current position and whether or not a restriction time period of the time restriction road overlaps a time period in the predetermined time from the current time, and if the restriction presence or absence determination section determines the presence of restriction, the searching route section searches for a route avoiding the time restriction road (claims 1 and 9).

- c. Claims 1-6 and 9 are allowable over the prior art of record (now renumbered as 1-7).

- 3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Tan Q. Nguyen, whose telephone number is (703) 305-9755. The examiner can normally be reached on Monday-Thursday from 5:30 AM-4:00 PM.

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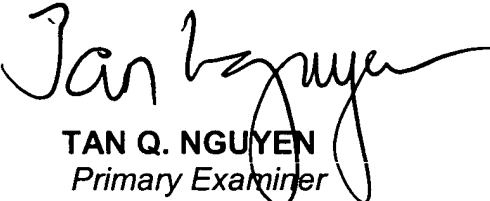
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/tqn
March 4, 2005


TAN Q. NGUYEN
Primary Examiner
Art Unit 3661